

FAPIA Summer 2010
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**Learning From Those on the Other Side of
Claims Negotiation: Persuasive, Professional, and
Ethical Techniques of Adjustment for the
Policyholder**

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When it comes to claims negotiations with the insurer, I think I...

1. Am a very persuasive person
2. Can hold my own
3. Could use some help!

When it comes to how the insurance company adjuster views me,
I think I...

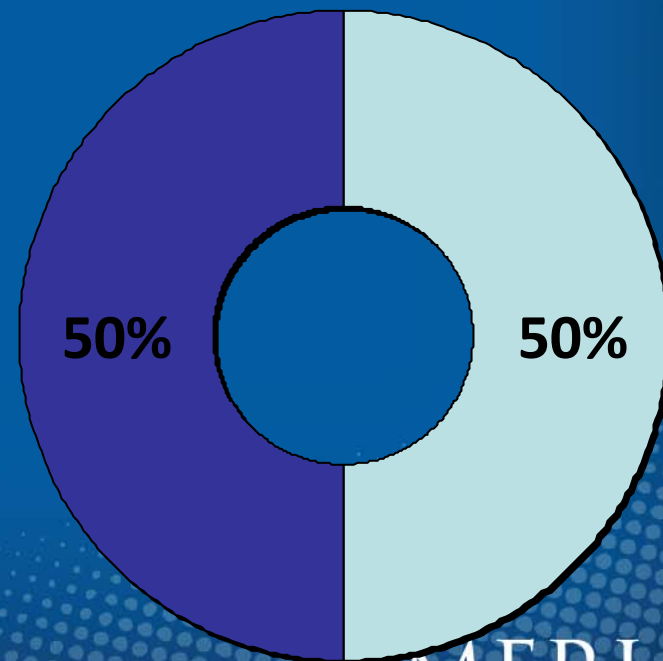
1. Am seen as a true professional
2. Could use some pointers on professionalism
3. Am more effective because I am not professional

When it comes to claims negotiating with the insurer, I think I..

1. Am a very ethical person
2. Could use a refresher on ethics
3. Do whatever it takes to settle the claim

When it comes to learning from those on the Other Side, I....

1. Think it's helpful to understand from their perspective. It will make me a better public adjuster.
2. Couldn't care less! Those people don't have anything to offer me.



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Learning From Those on the Other Side

What does “Professional” mean?

- Types of work that, to be performed well, require a high degree of knowledge, skill, sound judgment, and constant practice
- Set of qualities of one’s personal behavior in work related situations
 - Exhibiting a courteous, conscientious, and generally businesslike manner in the workplace

Do you, as a public adjuster, perform in a professional manner?

1. Absolutely!
2. Most of the time
3. It can be hard some times in some situations
4. I do what needs to be done to settle a claim

Do you think the majority of your peers perform in a professional manner?

1. Yes. I am proud of my fellow public adjusters' behavior
2. For the most part
3. Our profession needs help!

Learning From Those on the Other Side

**What are the 7 Steps in
Professional Conduct in the U.S.
business?**

Learning From Those on the Other Side

Professional Conduct

1. Individualistic, yet Restrained

-Individualism is not license to behave in an unrestrained manner

-Good professional behavior is guided by the social and business related expectations of others

Learning From Those on the Other Side

Balancing Act

One must demonstrate one's individualism and independence, but also observe prevailing social norms and the expectations of business associates

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Professional Conduct

2. Egalitarian, yet Respectful

- People “just like you and me,” common humanity
- Rights and privileges at different hierarchical level

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Balancing Act

Being aware of hierarchy, but knowing when to behave as an equal

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Professional Conduct

3. Assertive, yet Sensitive

- Self reliance and directness are admired
- Awareness of the likely effect on others of varying levels of assertiveness

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Balancing Act

Learning how to temper and modulate one's behavior

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Professional Conduct

4. Accurate, yet Tactful

- Communication is congruent with Reality
- Being sensitive to the feelings and reputation of others

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Balancing Act

Revealing shortcomings should be restricted
to only those directly involved

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Professional Conduct

5. Punctual, yet Patient

- High consciousness of passage of time
- Being sensitive to others' workload and responsibilities

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Balancing Act

Respecting others' schedules and deadlines
and not constantly prodding them along

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Professional Conduct

6. Warm, yet Cool

- Interpersonal warmth: routine, expected, often superficial
- Reacting rationally and neutrally to unusual events and behavior, including emotionally upsetting situations and even well-intentioned criticism of oneself

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Balancing Act

Showing positive regard toward others while avoiding any energetic, agitated display of deep feelings, especially anger

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Professional Conduct

7. Optimal, yet Practical

- Complete excellence is the goal
- Perfection is not “perfect” if it requires impractical actions or tasks to make it happen

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Balancing Act

Achieving the best results but acknowledging what it takes to make it work

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Common Pitfalls

Written Correspondence

- Promptness
 - Courteous and Effective Verbal Exchange
- Impression of expertise

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Chip's Pointers

Written Correspondence

1. Never use “Bad Faith”
2. Use “suggest”
3. Use “please look at it from.....”
4. “We are working toward a common purpose”

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Common Pitfalls

Meeting Deadlines

- Persuasive
- Promptness

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Chip's Pointers

Meeting deadlines

1. “We know we both agree promptness has to be accomplished”
2. Items “in hand”

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Common Pitfalls

Verbal Exchanges

1. Courteous

2. Effective

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Chip's Pointers

Verbal Exchanges

CALM in disagreement

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Verbal Exchanges

Authentic

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Verbal Exchanges

Genuine

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Verbal Exchanges

Listen FIRST

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Verbal Exchanges

“I appreciate what you have to say”

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Chip's Pointers

Verbal Exchanges

And “Come to Agreement”
“Bridge the...”

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Verbal Exchanges

Enthusiastic in position – a True Believer

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Verbal Exchanges

Why outcome helps opponent

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Verbal Exchanges

Respectful

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Ethical

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Chip's Pointers

1. Do not argue Cases
2. Do not argue Statutes
3. Be Honest

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Routine Areas of Disagreement

Conditions Precedent v. Cooperation Clauses

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Routine Areas of Disagreement

Conditions Precedent v. Cooperation Clauses

Policy Declaration Page

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Chip's Pointers

1. Blame it on Chip
2. I have to ask
3. You will get a civil remedy letter

Learning From Those on the Other Side

Routine Areas of Disagreement

Conditions Precedent v. Cooperation Clauses

EUOs and Sworn Proofs of Loss

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Chip's Pointers

1. Get agreement to keep inexpensive for adjuster
2. Find out what adjuster needs to pay the claim
3. Show willingness to do hard work
4. Downside of Attorneys

Learning From Those on the Other Side

FAPIA and Professionalism

Professionalism

- Membership standards
- Professionalism is taught
- Professionalism is awarded

Learning From Those on the Other Side

Final Thoughts

- Professionalism is Taught
- Professionalism is more than Ethical Compliance
- Focus of Seminars
 - More mentor teaching
 - Teach financial gains derived from professionalism

Promotion of Professionalism.....

1. Is to Kumbaya and Not Attainable
2. Is attainable as an Individual only
3. Can be attainable as a Normal Course of Conduct

As to the Promotion of Professionalism....

1. I am willing to try to make it a Normal Course of Conduct
2. I think it's a Waste of Time
3. I am willing to try, but will probably fail